

Editorial: Ethics laws still need some work

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It hasn't taken long for the new, clean image of Louisiana ethics to be tarnished.

Landmark legislation was passed in the February special session, much of which has promise for providing more transparent government.

But it was a short session with lots of difficult issues to be digested by freshmen legislators, and now the state is seeing some of the unintended — but not necessarily unforeseen — consequences of the ethics legislation.

Hundreds of volunteer public servants have jumped ship from various boards and commissions because of the changes.

The ethics board itself is the prime example. Of the 11 members, 10 have resigned.

While Louisiana now has the most stringent standards for ethics, it now has no one to enforce those standards until the governor is able to fill the seven positions he is able to appoint (legislators get the others), plus the ethics board administrator, who also resigned.

The current situation raises immediate red flags about how much pull the governor will have with the board. Board terms are supposed to be staggered so they are not all appointed by one governor.

"We're going to give the governor the chance to completely politicize," the board, said analyst Elliott Stonecipher.

On a bigger picture level, the mass exodus raises questions about the board's new mission. Reasons are unclear, but appear to have more to do with the new rules stripping the board of much of its purpose than with new financial disclosure requirements. The new board now screens those cases to go forward to a separate set of judges but has no power of prosecution. Plus, the standard for making a case is very high, making it unlikely that many cases will move forward at all.

"By taking away the authority of the ethics board to hear those cases and raising the standard of evidence to one that is very stringent, the combination leaves some doubt as to whether

we've taken one step forward and two steps back," said Jim Brandt, president of the Public Affairs Research Council of Louisiana.

Last week also brought resignations from hundreds of volunteers serving on state and local boards and commissions because of new financial disclosure laws. The new law means they must fill their name and spouse's name, address, occupation and all sources of income. Amounts of income are only required when it is from a state or local government contract or the gaming industry.

Maybe it's because we don't make enough money to worry about, but those requirements don't seem terribly onerous for people who are trying to run portions of state government and handle tax dollars.

We do wonder why it was enacted so fast. Now ex-Downtown Development Authority board member Mike McSwain said he "didn't have time to really dive into it to get comfortable with it."

The legislation was under debate during most of the regular session — and in fact was changed on the last day of the session to its current form. Then people had a week after its close to decide if they wanted to keep their positions. Why not wait until Jan. 1 to make it effective, and give everyone time to make an informed decision?

Reforming ethics reform will probably be tougher to get through than the steps taken in February. But it's clear the ramifications of the law were not completely considered.

We hope that legislators can polish what's there to bring the ethical, transparent government we were promised.